

BEST AVAILABLE COPY

DOCKET NO. 01-B-079
SERIAL NO. 10/060,454
PATENT

REMARKS

Claims 1-21 were pending in this application.

Claims 1-21 have been rejected.

Claims 1-4, 6, 8-12, 14, and 16-20 have been amended as shown above.

Claims 1-21 remain pending in this application.

Reconsideration and full allowance of Claims 1-21 are respectfully requested.

I. OBJECTIONS TO DRAWINGS

The Office Action objects to several informalities in the drawings. The Applicant has amended the specification to correct the noted informalities. The Applicant has also amended the specification to make the specification consistent with Figures 4-6.

The Applicant respectfully requests withdrawal of the objections to the drawings.

II. REJECTION UNDER 35 U.S.C. § 112

The Office Action rejects Claims 1-21 under 35 U.S.C. § 112, second paragraph, as failing to particularly point out and distinctly claim the subject matter regarded as the invention. In particular, the Office Action asserts that the terms "slowly" and "rapidly" render Claims 1, 9, and 17 indefinite. The Applicant has amended Claims 1, 9, and 17 to remove the terms "slowly" and "rapidly." The Applicant respectfully requests withdrawal of the § 112 rejection.

DOCKET NO. 01-B-079
SERIAL NO. 10/060,454
PATENT

III. REJECTION UNDER 35 U.S.C. § 102

The Office Action rejects Claims 9-12 and 15-20 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,163,850 to Wood et al. ("Wood"). This rejection is respectfully traversed.

A prior art reference anticipates a claimed invention under 35 U.S.C. § 102 only if every element of the claimed invention is identically shown in that single reference, arranged as they are in the claims. (*MPEP § 2131; In re Bond*, 910 F.2d 831, 832, 15 U.S.P.Q.2d 1566, 1567 (*Fed. Cir. 1990*)). Anticipation is only shown where each and every limitation of the claimed invention is found in a single prior art reference. (*MPEP § 2131; In re Donohue*, 766 F.2d 531, 534, 226 U.S.P.Q. 619, 621 (*Fed. Cir. 1985*)).

Claim 9 has been amended to recite an "input circuit" capable of receiving a "first bus access request signal" from a first bus device and a "second bus access request signal" from a second bus device. The input circuit is also capable of "outputting the second bus access request signal when the first bus access request signal is not enabled and blocking the second bus access request signal when the first bus access request signal is enabled." Claim 17 has been amended to recite blocking a "second bus access request signal" when a "first bus access request signal" is enabled.

Wood fails to recite any type of input circuit that blocks or does not block a bus access request signal based on another bus access request signal. As a result, *Wood* fails to anticipate these elements of Claims 9 and 17.

Also, Claims 9 and 17 have been amended to recite that a "second delay" delays "low-to-

DOCKET NO. 01-B-079
SERIAL NO. 10/060,454
PATENT

high transitions" in multiple "line driver enable signals" by "no more than one-half of a clock cycle of a clock signal." Claims 9 and 17 have also been amended to recite that a "first delay" delays "high-to-low transitions" in a "second line driver enable signal" by "an amount less than the second delay" but does not delay "high-to-low transitions" in a "first line driver enable signal."

Wood fails to recite delaying "low-to-high transitions" in multiple "line driver enable signals" by no more than "one-half of a clock cycle of a clock signal." *Wood* also fails to recite delaying "high-to-low transitions" in some but not all of the line driver enable signals by "an amount less than" the delay associated with the "low-to-high transitions." As a result, *Wood* fails to anticipate these elements of Claims 9 and 17.

For these reasons, *Wood* fails to anticipate the Applicant's invention as recited in Claims 9 and 17 (and their dependent claims). Accordingly, the Applicant respectfully requests withdrawal of the § 102 rejection and full allowance of Claims 9-12 and 15-20.

IV. REJECTION UNDER 35 U.S.C. § 103

The Office Action rejects Claims 1-4, 7, 8, and 21 under 35 U.S.C. § 103(a) as being unpatentable over Applicant Admitted Prior Art ("AAPA") in view of *Wood*, *AAPA* in view of U.S. Patent No. 5,044,167 to Champagne ("Champagne"), or *AAPA* in view of U.S. Patent No. 3,886,543 to Marin ("Marin"). The Office Action rejects Claims 5 and 6 under 35 U.S.C. § 103(a) as being unpatentable over *AAPA* and *Wood* in view of U.S. Patent No. 5,306,963 to Leak et al. ("Leak"), *AAPA* and *Champagne* in view of *Leak*, or *AAPA* and *Marin* in view of

DOCKET NO. 01-B-079
SERIAL NO. 10/060,454
PATENT

Leak. The Office Action rejects Claims 13 and 14 under 35 U.S.C. § 103(a) as being unpatentable over *Wood* in view of *Leak*. These rejections are respectfully traversed.

In *ex parte* examination of patent applications, the Patent Office bears the burden of establishing a *prima facie* case of obviousness. (*MPEP* § 2142; *In re Fritch*, 972 F.2d 1260, 1262, 23 U.S.P.Q.2d 1780, 1783 (*Fed. Cir.* 1992)). The initial burden of establishing a *prima facie* basis to deny patentability to a claimed invention is always upon the Patent Office. (*MPEP* § 2142; *In re Oetiker*, 977 F.2d 1443, 1445, 24 U.S.P.Q.2d 1443, 1444 (*Fed. Cir.* 1992); *In re Piasecki*, 745 F.2d 1468, 1472, 223 U.S.P.Q. 785, 788 (*Fed. Cir.* 1984)). Only when a *prima facie* case of obviousness is established does the burden shift to the applicant to produce evidence of nonobviousness. (*MPEP* § 2142; *In re Oetiker*, 977 F.2d 1443, 1445, 24 U.S.P.Q.2d 1443, 1444 (*Fed. Cir.* 1992); *In re Rijckaert*, 9 F.3d 1531, 1532, 28 U.S.P.Q.2d 1955, 1956 (*Fed. Cir.* 1993)). If the Patent Office does not produce a *prima facie* case of unpatentability, then without more the applicant is entitled to grant of a patent. (*In re Oetiker*, 977 F.2d 1443, 1445, 24 U.S.P.Q.2d 1443, 1444 (*Fed. Cir.* 1992); *In re Grabiak*, 769 F.2d 729, 733, 226 U.S.P.Q. 870, 873 (*Fed. Cir.* 1985)).

A *prima facie* case of obviousness is established when the teachings of the prior art itself suggest the claimed subject matter to a person of ordinary skill in the art. (*In re Bell*, 991 F.2d 781, 783, 26 U.S.P.Q.2d 1529, 1531 (*Fed. Cir.* 1993)). To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second,

DOCKET NO. 01-B-079
SERIAL NO. 10/060,454
PATENT

there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed invention and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. (*MPEP § 2142*).

Claims 13 and 14 depend from Claim 9. As shown above in Section III, Claim 9 is patentable. As a result, Claims 13 and 14 are patentable due to their dependence from an allowable base claim.

Claim 1 has been amended to recite an "input circuit" that is "associated with a first delay." Claim 1 has also been amended to recite a "delay circuit" that is "associated with a second delay." Claim 1 has been further amended to recite that the second delay "delays low-to-high transitions" in multiple "line driver enable signals" by "no more than one-half of a clock cycle of a clock signal." In addition, Claim 1 has been amended to recite that the first delay "delays high-to-low transitions" in a "second line driver enable signal" by "an amount less than the second delay" but does not delay "high-to-low transitions" in a "first line driver enable signal."

AAPA, Wood, Champagne, and Marin do not disclose, teach, or suggest a "delay circuit" having a "second delay" that delays "low-to-high transitions" in multiple line driver enable signals by "no more than one-half of a clock cycle of a clock signal." *AAPA, Wood, Champagne, and Marin* also do not disclose, teach, or suggest an "input circuit" having a "first delay" that delays "high-to-low transitions" in some but not all of the line driver enable signals by "an amount less than" a "second delay" associated with a "delay circuit."

DOCKET NO. 01-B-079
SERIAL NO. 10/060,454
PATENT

For these reasons, the Office Action has not established a *prima facie* case of obviousness against Claim 1 (and its dependent claims).

Accordingly, the Applicant respectfully requests withdrawal of the § 103 rejection and full allowance of Claims 1-8, 13, 14, and 21.

V. CONCLUSION

The Applicant respectfully asserts that all pending claims in this application are in condition for allowance and respectfully requests full allowance of the claims.

DOCKET NO. 01-B-079
SERIAL NO. 10/060,454
PATENT

SUMMARY

If any outstanding issues remain, or if the Examiner has any further suggestions for expediting allowance of this application, the Applicant respectfully invites the Examiner to contact the undersigned at the telephone number indicated below or at wmunck@davismunck.com.

The Commissioner is hereby authorized to charge any fees connected with this communication (including any extension of time fees) or credit any overpayment to Deposit Account No. 50-0208.

Respectfully submitted,

DAVIS MUNCK, P.C.

Date: Feb. 22, 2005



William A. Munck
Registration No. 39,308

P.O. Box 802432
Dallas, Texas 75380
Phone: (972) 628-3600
Fax: (972) 628-3616
E-mail: wmunck@davismunck.com

**This Page is Inserted by IFW Indexing and Scanning
Operations and is not part of the Official Record**

BEST AVAILABLE IMAGES

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images include but are not limited to the items checked:

- BLACK BORDERS**
- IMAGE CUT OFF AT TOP, BOTTOM OR SIDES**
- FADED TEXT OR DRAWING**
- BLURRED OR ILLEGIBLE TEXT OR DRAWING**
- SKEWED/SLANTED IMAGES**
- COLOR OR BLACK AND WHITE PHOTOGRAPHS**
- GRAY SCALE DOCUMENTS**
- LINES OR MARKS ON ORIGINAL DOCUMENT**
- REFERENCE(S) OR EXHIBIT(S) SUBMITTED ARE POOR QUALITY**
- OTHER:** _____

IMAGES ARE BEST AVAILABLE COPY.

As rescanning these documents will not correct the image problems checked, please do not report these problems to the IFW Image Problem Mailbox.